

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 59013 - 331629						
<p>I HEREBY CERTIFY THAT THIS PAPER (ALONG WITH ANY REFERRED TO AS BEING ATTACHED OR ENCLOSED) IS BEING TRANSMITTED TO THE COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON DECEMBER 8, 2006 VIA THE USPTO-EFS-WEB FILING SYSTEM</p> <p><u>/JENNIFER BARNES/</u> JENNIFER BARNES</p>								
<p>In re Application of Clifton A. Alferness et al.</p> <table border="1"> <tr> <td>Application Number 10/809,962</td> <td>Filed March 26, 2004</td> </tr> <tr> <td colspan="2">For CARDIAC SUPPORT DEVICE WITH DIFFERENTIAL EXPANSION</td> </tr> <tr> <td>Art Unit 3735</td> <td>Examiner GILBERT, Samuel G.</td> </tr> </table>			Application Number 10/809,962	Filed March 26, 2004	For CARDIAC SUPPORT DEVICE WITH DIFFERENTIAL EXPANSION		Art Unit 3735	Examiner GILBERT, Samuel G.
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For CARDIAC SUPPORT DEVICE WITH DIFFERENTIAL EXPANSION								
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ _____</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ <u>250</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0029</u> I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>								
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>52,079</u>.</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p>								
<p><u>Brian W. Oberst reg. no. 52079/</u> Signature</p> <p><u>Brian W. Oberst</u> Typed or printed name</p> <p><u>612/766-7174</u> Telephone number</p> <p><u>December 8, 2006</u> Date</p>								
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>								

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below^a.

*Total of 4 forms are submitted.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.